

REMARKS

Applicants respectfully request reconsideration and allowance of claims 1-3, 5, 7-9, and 11-12. Applicants have amended these claims without adding any new matter. Claims 4, 6, 10, and 13-19 have been canceled.

In numbered parts 1-5 of the Office Action, the Examiner set forth restriction of the invention to one of three categories, claims 1-12, 13-14, or 16-19. Applicants hereby confirm the election to prosecute the invention of claims 1-12 (with the amended hereinabove) and to cancel claims 13-19.

In numbered parts 6-15 of the Office Action, the Examiner objected to claims 1-2, 4-7, and 9 as to several informalities. In response, Applicants have amended and/or canceled these claims, thereby addressing the Examiner's objections.

In numbered parts 16-19 of the Office Action, the Examiner rejected claims 1-3, and 7-8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,280,627 ("the *Flaherty* reference"). In numbered parts 20-30, the Examiner rejected claims 4-6 and 9-12 under 35 U.S.C. § 103(a) as being unpatentable over the *Flaherty* reference in view of U.S. Patent No. 6,532,535 ("the *Cronk* reference"). In view of the amendments hereinabove, Applicants respectfully traverse the Examiner's rejections.

Independent apparatus claim 1 requires "at least one host computer operatively coupled to a physical disk storage medium, the physical disk storage medium being partitioned into a plurality of sections, each section being associated with and utilized by a different client computer, a least one of the sections storing an operating system for booting at least one of the client computers, and the host

computer including a drive configuration program for allocating the plurality of sections and restricting access to each section by the different client computers . . .” Independent method claim 7 includes substantially similar language with the exception of reciting a “diskless computer” and a “physical storage medium.”

Applicants respectfully submit that neither the *Flaherty* nor *Cronk* references, alone or in combination, disclose or suggest the above-quoted features of independent claims 1 and 7 of the instant application. In numbered part 22 of the Office Action, the Examiner states that “Flaherty’s disclosed invention generally involved a homogenous disk with no evidence of plural partitions for multiple clients.” Applicants agree with the Examiner’s conclusion regarding the *Flaherty* reference. Although the *Cronk* reference discloses a disk drive 300 (FIG. 3) that is accessed by a plurality of machines, Applicants disagree with the Examiner’s conclusion in numbered part 30 that teachings of the *Cronk* reference may be combined with the teachings of the *Flaherty* reference to arrive at independent claims 1 and 7 of the instant application. As an initial matter, the *Cronk* reference specifically teaches that the respective machines 302, 306, 310, 314, etc., are directly coupled to the disk drive 300 without facilitation by a host computer. (Col. 5, lns. 11-45.) Thus, in order to make out a *prima facie* case of obviousness, there must be some teaching that suggests how the *Flaherty* reference (which is directed to a host/client computer arrangement) can be modified to incorporate the disk drive 300 from an entirely different system configuration that does not include a host computer. Moreover, claims 1 and 7 of the instant application recite that the host computer include a “drive configuration program for allocating the plurality of sections and restricting access to each section by the different computers.” Neither the *Flaherty* nor *Cronk* references disclose such

a program. Consequently, any combination of teachings of the *Flaherty* and *Cronk* references would fail to include a recited element of independent claims 1 and 7 of the instant application.

Applicants respectfully submit that the Examiner has not met his burden to establish a motivation to combine the teachings of the *Flaherty* and *Cronk* references. In numbered part 30 of the Office Action, the Examiner cites the desirability of the features of the *Cronk* reference, namely, the ability to have different computers simultaneously running different operating systems from the shared disk drive 300, stating that the “system can provide savings and logistical benefits (e.g., version updates) in a large cluster organization.” This rationale, however, fails to establish why one skilled in the art would modify the *Flaherty* reference to achieve this result, which is set out exclusively in the *Cronk* reference at column 5, lines 34-37. Accordingly, Applicants submit that there is no motivation to modify the *Flaherty* system with the teachings of the *Cronk* reference.

In view of the foregoing, Applicants respectfully submit that independent claims 1 and 7 are patentable over the *Flaherty* reference alone and the cited combination of the *Flaherty* and *Cronk* references. Further, claims 2-3, 5, 8, 9, 11, and 12 are dependent from one of these base claims and are therefore patentable over the cited art for at least the same reasons.

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In view of the foregoing, Applicants respectfully submit that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. Applicants therefore respectfully request reconsideration and allowance in view of the above remarks and amendments.

In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

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Respectfully submitted,

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